



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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MAR 10 2003

Paper No. 13

In re Application of :
Craig L. Linden : DECISION ON PETITION
Application No. 09/856,228 :
Filed: May 16, 2001 :
For: Method and Apparatus For :
Powered Interactive Physical Displays

This is a decision on the petition filed by facsimile transmission on January 28, 2003 by which petitioner requests withdrawal of the holding that this application stands abandoned for failure to file a reply to the Notice of Non-Compliant Amendment mailed on June 12, 2002. The petition is considered under Section 1.181 of Title 37 of the Code of Federal Regulations (37 CFR 1.181), and no fee is required for the petition.

The petition is dismissed.

Petitioner alleges that the application became abandoned because petitioner did not receive the Notice mailed on June 12, 2002. However, petitioner has not made an acceptable showing of nonreceipt of such correspondence. Attached, petitioner will find information regarding how to make such a showing. While it is recognized that the showing applies to registered patent practitioners, petitioner may nevertheless make a similar showing by detailing the information that pertains to how petitioner handles correspondence from the Patent and Trademark Office. If petitioner in fact keeps a record of such correspondence, then a copy of the relevant page where the Notice of June 12, 2002 would have been entered if received must be supplied. If petitioner keeps no such records, petitioner should explain petitioner's method for handling mail, including such factors as who receives petitioner's mail, and how mail concerning this application is handled. For example, is it placed in a specific file? Has that file been inspected? Have such other files as petitioner may use to sort and store correspondence been inspected?

Petitioner may file a renewed petition on this matter, without fee. The renewed petition should be headed by the appropriate bibliographic information, such as the application number, the examiner's name, the art unit where the application is pending, the filing date, applicant's name and the filing date. The heading "Renewed Petition to Withdraw Holding of Abandonment" should be used as a heading. The renewed petition should include a showing of nonreceipt of Office correspondence as described in the attached material and as discussed above. The renewed petition must be filed within two months of the mailing date of this decision, in accordance with 37 CFR 1.181(f).

PETITION DISMISSED.

E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

Attachment

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